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Application No.: 10/538,223

Docket No.: 09600-00031-US

AMENDMENTS TO THE CLAIMS

This Listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1 and 2 (Canceled).

3. (Previously presented) The method of Claim 10, wherein the surgical procedure is an elective surgical procedure or an emergency surgical procedure.
4. (Previously presented) The method according to Claim 3, wherein the elective surgical procedure is a gastrointestinal procedure, heart surgery, nose and throat surgery, an abdominal procedure, vascular and/or joint surgery or transplantations.
5. (Previously presented) The method of Claim 3, wherein the emergency surgical procedure is trauma surgery or procedures for clearing up a septic focus.
6. (Previously presented) The method of Claim 10, wherein the green tea extract includes theanine and polyphenols derived from catechin derivatives.
7. (Previously presented) The method of Claim 6, wherein the catechin derivatives are selected from the group consisting of (-)-epigallocatechin gallate (EGCg), (-)-epigallocatechin (EGG), (-)-epicatechin gallate (ECg), (+)-gallocatechin (GC), (-)-epicatechin (EC), (+)-catechin (C) and combinations of two or more constituents thereof.
8. (Previously presented) The method of Claim 10, wherein component b) is arginine or an arginine precursor in the form of a di- or tripeptide.
9. (Previously presented) The method of claim 10, wherein said composition further comprises as component c) glycine, a glycine precursor in the form of a di- or tripeptide, or the physiologically tolerated salts thereof or combinations thereof.

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10. (Currently amended) A method for averting or reducing the risk of postoperative complications comprising the step of gastrointestinally administering to a surgical patient a composition comprising

- a) green tea extract and
- b) at least one NO donor which is a substrate of NO synthetase, and/or one precursor of this NO donor; wherein said NO donor and precursor are selected from the group consisting of glutamine, precursors of glutamine, trinitroglycerin, isosorbite dinitrate, nitroprussite, aminoguanidine, spermine-NO, spermidine-NO and SIN 1 (3-morpholinosydnone imines), or the physiologically tolerated salts or combinations thereof, and

wherein administration of the composition takes place less than twenty-four hours before a surgical procedure.

Claims 11-15. (Cancelled)

16. (Currently amended) A formulation for gastrointestinal administration to a surgical patient before surgical procedures to reduce the risk of postoperative complications or to avert such a risk comprising a composition comprising

- a) green tea extract and
- b) at least one NO donor which is a substrate of NO synthetase, and/or one precursor of this NO donor, wherein said NO donor and precursor are selected from the group consisting of glutamine, precursors of glutamine, trinitroglycerin, isosorbite dinitrate, nitroprussite, aminoguanidine, spermine-NO, spermidine-NO and SIN 1 (3-morpholinosydnone imines), or the physiologically tolerated salts or combinations thereof.

17. (Cancelled)

18. (Previously presented) The formulation of Claim 16, wherein the green tea extract includes theanine and polyphenols derived from catechin derivatives.

19. (Previously presented) The formulation of Claim 18, wherein the catechin derivatives are selected from the group consisting of (-)-epigallocatechin gallate (EGCg), (-)-

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epigallocatechin (EGG), (-)-epicatechin gallate (ECg), (+)-gallocatechin (GC), (-)-epicatechin (EC), (+)-catechin (C) and combinations of two or more constituents thereof.

20. (Previously presented) The formulation of Claim 16, wherein component b) is arginine or an arginine precursor in the form of a di- or tripeptide.

21. (Previously presented) The formulation of Claim 16, wherein said composition further comprises as component c) glycine, a glycine precursor in the form of a di- or tripeptide, or the physiologically tolerated salts thereof or combinations thereof.

22. (Previously presented) The method of claim 10 wherein the postoperative complications are ischemia-reperfusion injury.

23. (Previously presented) The method of Claim 10, wherein component b) is glutamine or a glutamine precursor.

24. (Previously presented) The formulation of Claim 16, wherein component b) is glutamine or a glutamine precursor.

25. (Currently amended) A method for averting or reducing the risk of postoperative complications comprising the step of gastrointestinally administering to a surgical patient a composition comprising

- a) green tea extract and
- b) glutamine or a glutamine precursor,

wherein administration of the composition takes place less than twenty-four hours before a surgical procedure.